

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, FEBRUARY 10, 2022.

[15]*

JOURNAL OF THE HOUSE.

Thursday, February 10, 2022.

Met according to adjournment at eleven o'clock A.M., pursuant to emergency rules, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Silent Tribute.

During the session, the Speaker took the Chair, declared a brief recess and introduced Representative Williams of Springfield who shared his memories of Raymond A. Jordon, Jr., a member of the House from Springfield from 1975 to 1994, inclusive.

At the request of Speaker Mariano of Quincy and Representatives Williams, Puppolo of Springfield, Gonzalez of Springfield, Ramos of Springfield, Wagner of Chicopee, Olivera of Ludlow, and Ashe of Longmeadow the members and employees stood in a moment of silent tribute in respect to the memory of Raymond A. Jordan.

Raymond A.
Jordon, Jr.

Elected to the newly created 13th Hampden district in the Massachusetts House of Representatives in November 1974, Jordan who was the first African American from outside Boston to be elected to Massachusetts's legislature, representing Springfield from 1975 until 1994.

In the 1975–1976 legislative session, Jordan voted in favor of ratifying the Equal Rights Amendment (which passed 188–45), against a bill to cut welfare benefits (which passed 198–30), against an effort to reinstate capital punishment over the governor's veto (which passed 166–54), in favor of a measure to reauthorize rent control (which passed 176–49), and against a measure to ban handguns (which failed 35–197). That session, he received a 91% rating from the Americans for Democratic Action, an 82% rating from the AFL–CIO, and a 0% rating from the Citizens for Limited Taxation.

Jordan served as president of the Massachusetts Black Legislative Caucus and as chairman of the House Committee on Counties, the House Committee on Housing and Urban Development and co-chairing the Committee of Energy and Ethics. A 1983 column in The Boston Globe described him as “a 40-year-old professional politician with deceptive countrified charm and a taste for inside wheeling and dealing”. He served as a delegate to the 1984 Democratic National Convention, supporting Walter Mondale's bid for the presidential nomination and favoring unsuccessful proposed amendments to the party platform that called for reductions in military spending and opposed pre-emptive nuclear strikes.

He resigned on February 28, 1994, to accept a position in the federal government, becoming the New England states liaison to faith-based and community initiatives for the Clinton Administration's U.S. Department of Housing and Urban Development where he spent eighteen years before retiring in 2012.

He served as a member of the Electoral College in the 2008 presidential election, casting his vote for Barack Obama. During the 2016 Democratic Party presidential primaries, he served as a superdelegate, supporting Hillary Clinton. In 2019, the Raymond A. Jordan Senior Center, named for Jordan, opened; U.S. Representative Richard Neal stated: “I can’t think of a better tribute that we might offer Ray Jordan than naming this facility after him.” Jordan died on February 5, 2022, at the age of 78. The mayor of Springfield, Domenic Sarno, lauded him as “a well-respected champion for his district” and “a caring and shrewd gentleman, who could work both sides of the aisle in order to deliver for the people, families and businesses of his district.” U.S. Senator Ed Markey said that Jordan “was one of the central figures in the transformation of the Massachusetts State House” and that “he made sure equal opportunity and justice were central to state policymaking”.

Benjamin Swan took over the seat, which is now the 11th Hampden District, in 1994 after Jordan resigned. State Rep. Bud L. Williams, who succeeded Swan in 2017, said he had been friends with Jordan for many years and they often bounced ideas and issues off each other. “I talked with him faithfully every week and just a week or two ago, he told me to keep doing my job and keep fighting for the people. Ray was far from just a politician, he was a tremendous family man, my mentor and my friend. He stressed that it should be family first in all things and when you get home leave the politics at the door. Now as I reflect on his words, I believe that it might have been his way of keeping me engaged and telling me to keep the faith.”

In “The Struggle for Freedom: The History of African Americans in Western Massachusetts,” Joseph Carvalho, co-editor stated it best: “Ray Jordan was probably the first elected African-American from Springfield who really had a major political influence statewide. He was not only a dominant force locally, but in the General Court. He was a go-to guy, and state leaders looked to him as a leading representative of the African-American community.

Ray Jordan was and will always be revered as a great man, an influential leader and truly exemplified “the People’s House”. He will truly be missed by many. His legacy lives on in all of us.

Speaker Mariano then offered the condolences of the House; and reflected on several personal and professional moments that they had shared.

Valedictory Address.

During the session, there being no objection, Ms. Dykema of Holliston addressed the House regarding her pending departure from service in the House of Representatives.

Valedictory address.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. Honan of Boston) congratulating Mary Coleman Maye on the occasion of her one hundredth birthday; and

Mary Coleman Maye.

Resolutions (filed by Messrs. Roy of Franklin, Mariano of Quincy and Kearney of Scituate) congratulating Alfred “Rico” Cabral on his retirement as the head basketball coach at Dean College;

Alfred Cabral.

Mr. Galvin of Canton, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each

instance, on motion of Mr. Golden of Lowell, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Vitolo of Brookline and Senator Creem, a joint petition (accompanied by bill, House, No. 4450) of Tommy Vitolo and Cynthia Stone Creem (by vote of the town) that the town of Brookline be authorized to hold hybrid town meetings. To the committee on Election Laws.

Brookline,—
hybrid town
meetings.

By Mr. Diggs of Barnstable, a petition (accompanied by bill, House, No. 4453) of Kip A. Diggs (with the approval of the county commissioners) that Jacob M. White be authorized to purchase creditable service from the Barnstable county retirement board;

Jacob White,—
creditable
service.

By Mr. Dooley of Norfolk, a petition (accompanied by bill, House, No. 4451) of Shawn Dooley (by vote of the town) that the deputy police chief of the town of Wrentham be exempt from the civil service law;

Wrentham,—
civil service.

By the same member, a petition (accompanied by bill, House, No. 4452) of Shawn Dooley (by vote of the town) that the police chief of the town of Wrentham be exempt from the civil service law; and

Id.

By Ms. Peake of Provincetown, a petition (accompanied by bill, House, No. 4454) of Sarah K. Peake (with the approval of the county commissioners) that Adrian Peters be authorized to purchase creditable service from the Barnstable county retirement board.

Adrian Peters,—
creditable
service.

Severally to the committee on Public Service.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Representative Ferguson of Holden and Senator Gobi, a joint petition (subject to Joint Rule 12) of Kimberly N. Ferguson and Anne M. Gobi for legislation to establish a sick leave bank for Anastasios Milonopoulos, an employee of the Department of Correction.

Anastasios
Milonopoulos,—
sick leave.

By Mr. Galvin of Canton, a petition (subject to Joint Rule 12) of William C. Galvin relative to licensure for the use of graduated electronic decelerators to alter behavior of persons with disabilities.

Graduated
electronic
decelerators.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

The Speaker being in the Chair,—

The House Order (House, No. 4414) relative to extending until Wednesday, February 9, 2022, the time within which the committee on Housing is authorized to report on current Senate document numbered 880, and House document numbered 1411, came from the Senate with the endorsement that it had been adopted, in concurrence, with an amendment striking out the date: “February 9” and inserting in place thereof the date: “February 23”.

Housing
committee,—
extension of
time for
reporting.

Under suspension of Rule 35, on motion of Mr. Arciero of Westford, the amendment was considered forthwith; and it was adopted, in concurrence.

The House Order (House, No. 4417) relative to extending until Wednesday, February 9, 2022, the time within which the committee on Housing is authorized to report on current House document numbered 1376, came from the Senate with the endorsement that it had been adopted, in concurrence, with an amendment striking out the date: “February 9” and inserting in place thereof the date: “February 23”.

Housing
committee,—
extension of
time for
reporting.

Under suspension of Rule 35, on motion of Mr. Arciero of Westford, the amendment was considered forthwith; and it was adopted, in concurrence.

Mr. Donato of Medford being in the Chair,—

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2684) of Cynthia Stone Creem and Tommy Vitolo (by vote of the town) for legislation to amend section 5 of chapter 270 of the Acts of 1985, as amended, to authorize delegation by general by-law of all select board licensing authority; and

Brookline,—
licensing
authority.

Petition (accompanied by bill, Senate, No. 2685) of Cynthia Stone Creem and Tommy Vitolo (by vote of the town) for legislation to exempt the town of Brookline from in-person quorums;

Brookline,—
quorum.

Severally to the committee on Municipalities and Regional Government.

A petition of Barry R. Finegold for legislation to establish a sick leave bank for John Carlson, an employee of the Department of Correction, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

John
Carlson,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2686) was referred, in concurrence, to the committee on Public Service.

Report of a Committee.

By Mr. Honan of Boston, for the committee on Steering, Policy and Scheduling, that the House Bill protecting research animals (House, No. 901), be scheduled for consideration of the House.

Research
animals.

Under suspension of Rule 7A, on motion of Mr. Golden of Lowell, the bill was read a second time forthwith; and it was ordered to a third reading.

Recess.

At three minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed until the hour of one o'clock P.M.; and at a half past one o'clock, the House was called to order with the Ms. Hogan of Stow in the Chair.

Recess.

Quorum.

As required under the provision of Emergency Rule 2(4), a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 158 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 141.

[See [Yea and Nay No. 141](#) in Supplement.]

Therefore a quorum was present.

Engrossed Bill — Land Taking.

The engrossed Bill authorizing the city of Northampton to amend a certain conservation easement (see House, No. 3900, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Northampton,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 158 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 142.

[See [Yea and Nay No. 142](#) in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

The House Bill relative to the governance, structure and care of veterans at the Commonwealth's veterans' homes (House, No. 4441), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Veterans'
homes.

After debate on the question on passing the bill to be engrossed, Mr. Markey of Dartmouth moved to amend it in section 2 by striking out lines 24 to 28, inclusive; and by striking out lines 38 to 45, inclusive, and inserting in place thereof the following:

“Section 41. (a)(1) There is hereby established the Massachusetts Veterans' Homes Council. The council shall consist of 12 members, of which 11 shall be voting members. All members of the council shall be appointed by the governor. The council shall include the adjutant general of the Massachusetts National Guard, or a designee; 1 member with professional knowledge in long-term health care or geriatric health care; 1 member with experience in labor relations; 1 member with experience in nursing; 1 member who shall be, by education or experience, qualified in business and fiscal management who shall have a demonstrated interest in the concerns of veterans; 1 member shall be qualified in clinical services who preferably has demonstrated experience treating post-traumatic stress disorder in veterans, who shall be appointed by the governor; 5 members shall be Massachusetts residents who are veterans who shall be appointed by the governor, 1 of whom shall be a female veteran, 1 of whom shall be a minority veteran, 1 of whom shall be a member of the LGBTQ veteran community, 1 of whom shall be a veteran who served prior to 1990, and 1 of whom shall be a veteran who served after 1990; and the executive director of veterans' homes and housing, under the executive office of veterans affairs, who shall serve as a non-voting member of the council. The council shall elect a chairperson, a chairperson pro tempore, a secretary, and a clerk whose duties and responsibilities shall be set forth by the chairperson and approved by a vote of the council.”.

After debate the amendments were rejected.

The same member then moved to amend the bill section 2, in lines 61 to 103, inclusive, by striking out the text contained in those lines and inserting in place thereof the following:

“(b) The council shall be included in the management and control of all veterans' homes established in the commonwealth and all property, real and personal,

belonging to the commonwealth and occupied or used by said homes, and shall hold and administer in trust the property included in the 'legacy fund' and the 'effects accounts,' if and when the transfer thereof to the commonwealth is effected pursuant to a decree of a court of competent jurisdiction, and in accordance with the terms and conditions imposed by such decree. In the management and control of said home as aforesaid, said council shall have the same powers and perform the same duties as are vested and imposed in the trustees of state hospitals under the provisions of chapter 19, so far as applicable.

(c) The council shall:

(i) have the authority to visit and review the operation of Soldiers' Homes;

(ii) have the authority to review and comment on rules promulgated by the executive office of veteran's affairs concerning the homes before the rules are submitted for public comment;

(iii) have direct communications and establish effective working relationships and lines of communication with appropriate state offices and staff;

(iv) review and provide written comments to the executive director of veterans' homes and housing and the secretary of veterans' affairs regarding the system of governance and oversight for the homes, which shall include all rules, regulations, and laws necessary for effective management and preserving the health and welfare of the veterans admitted to state-operated veteran health care and long-term care facilities;

(v) adopt standardized rules and regulations governing outpatient treatment, admission to and hospitalization in the homes;

(vi) develop and amend bylaws that are consistent at all current or future veterans' homes, which shall include, but are not limited to, admissions eligibility and procedures, procurement, per diem rates, and staffing levels;

(vii) monitor the progress of capital construction projects at the current or any future homes;

(viii) develop a system of reviewing charges, complaints, and comments from, but not limited to, residents, family members of residents, and the ombudspersons for the homes;

(ix) consider nationally recognized models and guidelines for the delivery of health care in all veterans' homes in the development of any by-laws, rules, procedures, and protocols; and

(x) adopt necessary rules, regulations, by-laws, roles, and responsibilities for the boards of trustees of the veterans' homes in Chelsea and Holyoke.

(d) The council shall provide recommendations to the executive director of veterans' homes and housing and the secretary of veterans' affairs regarding the appointment, and if necessary, removal, of the superintendent and deputy superintendent for each veterans' home.

(e) The council shall annually file a written report on its activities of the immediately preceding year. This report shall be submitted no later than 90 days following the end of the fiscal year and shall include, but not be limited to: (i) the census and demographics of each veterans' home; (ii) an accounting of all revenues received and expended; (iii) recommendations for improvements to the homes; (iv) staffing levels and the extent that staffing levels do or do not meet industry standards; (v) a list of complaints, charges or recommendations from patients, family members, and guardians and actions taken; (vi) all other matters the council considers pertinent. Said report shall be filed with the clerks of the house of representatives and the senate, and copies shall be forwarded to the chairs of the joint committee on veterans and

federal affairs, the joint committee on public health and the house and senate committees on ways and means.”.

After debate the amendment was rejected.

Mr. Markey then moved to amend the bill in section 35, in lines 296 to 301, inclusive, by striking out the text contained in those lines and inserting in place thereof the following paragraph:

“Nominations for the position of superintendent and deputy superintendent shall be submitted to the secretary of veterans affairs, who shall review the nominations in consultation with the secretary of health and human services and the executive director of veterans’ homes and housing and provide recommendations to the governor. Recommendations for the removal of a superintendent or deputy superintendent shall be submitted to the secretary of veterans’ affairs, who shall review them in consultation with the secretary of health and human services and the executive director of veterans’ homes and housing and provide a recommendation to the governor. The governor shall appoint and may remove the superintendent and deputy superintendent at each veterans’ home.”.

After debate the amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

“SECTION 48. Section 17A of chapter 6 of the General Laws is hereby amended by adding after the word ‘transportation’ the following: ‘the secretary of veterans’ services’.”. After remarks the amendment was rejected.

After remarks on the question on passing the bill to be engrossed, Mr. Carey of Easthampton moved to amend it in section 2, in line 8, by inserting after the word “veterans” the following: “or Gold Star Mothers and/or Gold Star Family Members, family members of active or former residents, or family members of Disabled American Veterans.”; in line 16, by inserting after the word “persons,” the following: “at least 3 of whom shall be war veterans or Gold Star Mothers and/or Gold Star Family Members, family members of active or former residents, or family members of Disabled American Veterans, and”; and the amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays at the request of Mr. McMurtry of Dedham; and on the roll call (Speaker Mariano being in the Chair) 156 members voted in the affirmative and 1 in the negative.

Bill passed to
be engrossed,—
yea and nay
No. 143.

[See [Yea and Nay No. 143](#) in Supplement.]

[Mrs. Campbell of Methuen answered “Present” in response to her name.]

Therefore the bill (House, No. 4441, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. Williams of Springfield,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o’clock A.M.

Next
sitting.

Speaker Mariano of Quincy and Representative Williams of Springfield then moved that when the House adjourns today, it do so in respect to the memory of

Raymond A. Jordan, Jr., a member of the House from Springfield from 1975 to 1994, inclusive; and the motion prevailed.

Accordingly, at seven minutes before four o'clock P.M., on motion of Mr. Jones of North Reading (the Speaker being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.